

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 4:08CR3143
)
V.)
)
DANGELO M. ERVING,) ORDER
)
Defendant.)
)

Today, I conferred by telephone with James Martin Davis, David Stickman, and Bruce Gillan. With their agreement,

IT IS ORDERED that:

1. The Federal Public Defender will represent the defendant regarding any sentence reduction under the Fair Sentencing Act.
2. Given the Retroactive Sentencing Worksheet provided by the probation office, the defendant is entitled to a sentence reduction under the Fair Sentencing Act of 37 months to a sentence of 151 months in prison. On, or shortly after, Monday, March 26, 2012, the undersigned will reduce the defendant's sentence accordingly by entering the appropriate order.
3. After the order referred to above is entered, Mr. Gillan, the prosecutor, will promptly call the pending Rule 35 motion for hearing and Mr. Davis will represent the defendant in regard to that matter.
4. The Clerk shall mail a copy of this document to the defendant and provide notice of it to James Martin Davis, David Stickman, Bruce Gillan and Craig R. Ford, United States Probation Officer. Mr. Ford shall file the Retroactive Sentencing Worksheet.

DATED this 23rd day of March, 2012.

BY THE COURT:

Richard G. Kopf
Senior United States District Judge